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RESOLUTION NO. 03-450

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING OF **LATERAL 86, MAIN 22, WAR INDUSTRIES SEWER, (WEST OF WEBB, SOUTH OF 21ST) 468-83696**, IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF IMPROVING **LATERAL 86, MAIN 22, WAR INDUSTRIES SEWER, (WEST OF WEBB, SOUTH OF 21ST) 468-83696**, IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct **Lateral 86, Main 22, War Industries Sewer, (west of Webb, south of 21st) 468-83696**.

Said sanitary sewer shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be **One Hundred Twenty-two Thousand Dollars (\$122,000)** exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **July 1, 2003**, exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

WILSON FARMS FOURTH ADDITION

Lots 1 through 16, Block 1;

UNPLATTED TRACT NO. 1

A TRACT OF LAND COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, WILSON ESTATES MEDICAL PARK, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS; THENCE BEARING S88°58'13"W ALONG THE SOUTH LINE OF LOT 1, BLOCK 2, LEGACY PARK WILSON ESTATES ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, A DISTANCE OF 392.17 FEET; THENCE BEARING N01°01'47"W A DISTANCE OF 649.96 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG A BEARING OF N01°01'47"W A DISTANCE OF 337.04 FEET; THENCE BEARING N32°33'17"W A DISTANCE OF 93.57 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF RESERVE B IN LEGACY PARK WILSON ESTATES ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS; THENCE BEARING

N57°24'50"E ALONG SAID RESERVE B, A DISTANCE OF 46.94 FEET; THENCE BEARING S32°35'10"E A DISTANCE OF 287.35 FEET TO THE PC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 214.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 65°50'27" AN ARC DISTANCE OF 245.92 FEET; THENCE BEARING S88°58'13"W A DISTANCE OF 17.00 FEET TO THE POINT OF BEGINNING.

UNPLATTED TRACT NO. 2

A TRACT OF LAND BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, WILSON ESTATES MEDICAL PARK, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS; THENCE BEARING S88°58'13"W ALONG THE SOUTH LINE OF LOT 1, BLOCK 2, LEGACY PARK WILSON ESTATES ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, A DISTANCE OF 392.17 FEET; THENCE BEARING N01°01'47"W A DISTANCE OF 649.96 FEET; THENCE BEARING N88°58'13"E A DISTANCE OF 17.00 FEET TO A POINT ON A CURVE TO THE LEFT, HAVING A RADIUS OF 214.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 126°22'38", AN ARC DISTANCE OF 472.02 FEET TO THE PT OF SAID CURVE; THENCE BEARING N51°35'39"E A DISTANCE OF 40.95 FEET TO THE NORTHWEST CORNER OF LOT 2, BLOCK 1, WILSON ESTATES MEDICAL PARK; THENCE BEARING S01°01'47"E ALONG THE WEST LINE OF LOTS 1 AND 2, BLOCK 1, IN SAID WILSON ESTATES MEDICAL PARK, A DISTANCE OF 505.95 FEET TO THE POINT OF BEGINNING.

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis:

Lots 1 through 16, Block 1; all within Wilson Farms 4th Addition shall each pay 564/10,000 of the total cost payable by the improvement district. Unplatted Tracts No. 1 & 2 shall each pay 488/10,000 of the total cost payable by the improvement district.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the

improvements set forth above is hereby established as authorized by K.S.A. 1980 Supp. 12-6a01 et seq., as amended and supplemented, and K.S.A. 12-693.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, August 19, 2003.

CARLOS MAYANS, MAYOR

ATTEST:

PAT GRAVES, CITY CLERK

(SEAL)